

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 36-1148

O'BRIEN et al

C# M#

Serial No. 09/043,406

Group Art Unit: 3623

Filed: March 18, 1998

Examiner: Robinson Boyce, A.

Date: November 20, 2002

Title: SERVICE PROVISION SYSTEM FOR  
USE IN DISTRIBUTED PROCESSING ENVIRONMENTSAssistant Commissioner for Patents  
Washington, DC 20231

Sir:

**RESPONSE/AMENDMENT/LETTER**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

**Fees are attached as calculated below:**

Total effective claims after amendment 16 minus highest number  
previously paid for 57 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 8 minus highest number  
previously paid for 22 (at least 3) = 0 x \$ 84.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$280.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this  
paper and attachment(s) (\$110.00/1 month; \$400.00/2 months; \$920.00/3 months) \$ 920.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$740.00) \$ 0.00

☐ Please enter the previously unentered, filed

☐ Submission attached

**Subtotal \$ 920.00**

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: 0.00

**TOTAL FEE ENCLOSED \$ 920.00**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.  
By Atty: Raymond Y. Mah, Reg. No. 41,426

Signature: **RECEIVED**

NOV 25 2002

**GROUP 3600**



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**O'BRIEN et al.**

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November 20, 2002

**RESPONSE**

Assistant Commissioner for Patents  
Washington, DC 20231

**RECEIVED**  
NOV 25 2002  
**GROUP 3600**

Sir:

In response to the non-final Office Action dated June 4, 2002, please  
consider the following remarks.

**REMARKS**

Reconsideration and allowance of this application are respectfully  
requested. Currently, claims 44-48 and 50-60 are pending in this application.

**Rejections Under 35 U.S.C. §102 and §103:**

Claims 45-49 were rejected under 35 U.S.C. §102(b)<sup>1</sup> as allegedly being  
anticipated by Babayev et al (U.S. '121, hereinafter "Babayev"). Applicant  
respectfully traverses this rejection.

<sup>1</sup> As discussed in the Amendment/Response filed February 4, 2002, Applicant submits that the  
Examiner's indication that Babayev et al qualifies as prior art under 35 U.S.C. §102(b) is believed to be  
erroneous.